



Department of Planning, Building and Code Enforcement  
801 North First Street, Room 400  
San José, California 95110-1795

## GENERAL PLAN REPORT

### 2002 Summer Hearing

Hearing Date/Agenda Number:  
P.C. 8/12/02 Item:

File Number:  
GP02-04-01/GPT02-04-01

Council District and SNI Area:  
4 – N/A

Major Thoroughfares Map Number:  
51

Assessor's Parcel Number(s):  
241-42-104

Project Manager: Deanna Chow

#### PROJECT DESCRIPTION:

General Plan amendment request to change the Land Use/Transportation Diagram designation from Medium Density Residential (8-12 DU/AC) (Berryessa Planned Residential Community) to Office.

**LOCATION:** South side of Murphy Avenue, west of Oyama Drive

**ACREAGE:** 0.2

#### APPLICANT/OWNER:

Marvin Cuaresma

#### GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Medium Density Residential (8-12 DU/AC) (Berryessa Planned Residential Community)

Proposed Designation: Office

**EXISTING ZONING DISTRICT(S):** A- Agricultural

#### SURROUNDING LAND USES AND GENERAL PLAN DESIGNATION(S):

North: Commercial/Retail – General Commercial

South: Vacant – Medium Density Residential (8-12 DU/AC) (Berryessa Planned Residential Community)

East: Single-family residential – Medium Density Residential (8-12 DU/AC) (Berryessa Planned Residential Community)

West: Single-family residential – Medium Density Residential (8-12 DU/AC) (Berryessa Planned Residential Community)

#### ENVIRONMENTAL REVIEW STATUS:

Mitigated Negative Declaration

#### PLANNING STAFF RECOMMENDATION:

No change to the Land Use/Transportation Diagram

Approved by:

Date:

#### PLANNING COMMISSION RECOMMENDATION:

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**CITY COUNCIL ACTION:**

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**CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:**

- Department of Public Works – The project is located in Flood Zone D and in a State Liquefaction Zone. The Department of Public Works has indicated that at the project stage, a short term traffic report may be necessary due to the proposed 12,000 square feet of office space.
- Department of Transportation - A long-term traffic impact analysis indicated that the proposed land use change will not cause a significant long-term traffic impact.

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**GENERAL CORRESPONDENCE:**

- None received.

**ANALYSIS AND RECOMMENDATIONS:**

**PROJECT DESCRIPTION**

This is a privately initiated General Plan amendment to change the San Jose 2020 General Plan Land Use/Transportation Diagram designation from Medium Density Residential (8-12 DU/AC) [Berryessa Planned Residential Community (PRC)] to Office on a 0.2-acre site located on the south side of Murphy Avenue, west of Oyama Drive. The Medium Density Residential designation in the Berryessa PRC has two density ranges, 8-12 dwelling units per acre (DU/AC) and 8-16 DU/AC. This particular site has a density range of 8-12 DU/AC, which is typified by single-family residences, duplexes, and townhomes. The Office designation, which is not a current designation in the Berryessa PRC, primarily allows for business and professional offices under the citywide Land Use/Transportation Diagram designation definition.

**BACKGROUND**

The subject site is located in the Berryessa Planned Residential Community which is comprised of approximately 300 acres in northeastern San Jose. It is bordered by Murphy Road on the north, Union Pacific Railroad and Lundy Avenue on the east, Berryessa Road on the south, and the San Jose Municipal Golf Course on the west. The Berryessa PRC was created in 1980 in an effort to facilitate housing opportunities near employment centers in the North San Jose area. The primary objectives are to improve livability and transportation conditions citywide by shortening the commute time between jobs and housing. The applicant is proposing the General Plan land use amendment from Medium Density Residential to Office to facilitate the development of a 12,000 square foot real estate office.

**Site and Surrounding Uses**

The amendment site is located on the south side of Murphy Avenue, east of Oakland Road and west of Oyama Drive. The site is currently occupied by a single-family residence and surrounded by single-family residences to the west and east. Vacant land is located to the south. These areas have a General Plan designation of Medium Density Residential (8-12 DU/AC) (Berryessa Planned Residential Community). A retail center, which includes PW Supermarket, Hollywood Video, Kinko's, McDonalds and other restaurants, is located on the north side of Murphy Avenue at Oakland Road. These uses are

consistent with the General Commercial land use designation of that property. On the southeast corner of Oakland Road and Murphy Avenue is a suburban style office park. This area is located outside and west of the Berryessa Planned Residential Community boundary, and has a land use designation of Industrial Park with Mixed Industrial Overlay.



Looking south, subject site and adjacent single-family residence



South of subject site, vacant lot planned for residential use

## **ANALYSIS**

### **Policy Consistency/Land Use Compatibility**

The proposed Office land use designation is not currently a permitted land use in the Berryessa Planned Residential Community. The proposed amendment to change the Land Use/Transportation Diagram designation from Medium Density Residential (8-12 DU/AC) to Office would be inconsistent with the Berryessa Planned Residential Community which seeks to provide greater housing opportunities by planning for approximately 3,000 dwelling units. The land use designations incorporated into the Berryessa PRC include: Medium High Density Residential (12-16 DU/AC), Medium Density Residential (8-12 DU/AC and 8-16 DU/AC), Medium Low Density Residential (8 DU/AC), Neighborhood/Community Commercial, and Neighborhood Park. These designations are intended to create a residential community, providing elements such as neighborhood commercial and recreation/open space to support the residences in the area. Most of the Berryessa PRC has been built.

The proposed land use amendment would create an island of office uses in the surrounding residential community that has been planned as part of the Berryessa PRC. The Urban Conservation Policy #2 states that the City should encourage new development which enhances the desirable qualities of the community and existing neighborhoods. While the City supports office uses to promote economic development and to balance jobs with housing, such development should be in appropriate locations. Residential Land Use Policy #2 states that residential neighborhoods should be protected from the encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment. The proposed amendment would facilitate the development of an office building which would be out of character with the existing and planned residential uses.

Given the property's small size, conversion of the site to office would result in the potential loss of a small number of housing units; however, approval of the office designation could trigger a change to the remaining 2.9 acres of vacant land south of the site to non-residential uses, further disrupting the residential character of the area. The proposed General Plan amendment would be inconsistent with the

intent of the Berryessa PRC which is to increase the housing opportunities to support the North San Jose employment center.

The site is located in the North San Jose Area Development Policy Area. The Area Development Policy was adopted in 1988 by the City Council and intended to improve traffic conditions in North San Jose by bringing employment, housing and transportation systems into closer balance. Housing identified in the Berryessa PRC supports this goal.

### **PUBLIC OUTREACH**

The property owners and occupants within a 500-foot radius were sent a newsletter regarding the two community meetings that were held on July 8 and 10, 2002. They also received a notice of the public hearings to be held on the subject amendment before the Planning Commission in August and City Council in September. In addition, the Department's web-site contains information regarding the General Plan process, amendments, staff reports, and hearing schedule. This site is used by the community to keep informed with the status of the amendments. No comments were received by the public regarding the proposed amendment.

### **RECOMMENDATION**

Planning staff recommends no change to the General Plan Land Use/Transportation Diagram.

#### Attachments

PBCE002/GP\_Team/2002Annual Review/Staff Reports/Summer Review/GP02-04-01.sr.doc